



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,994	09/01/2000	Koichiro Maemura	2271/62975	6805
7590	05/06/2004		EXAMINER	
Richard F Jaworski Cooper & Dunham LLP 1185 Avenue of the Americas New York, NY 10036			PARK, CHAN S	
			ART UNIT	PAPER NUMBER
			2622	
			DATE MAILED: 05/06/2004	
				7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/653,994	MAEMURA, KOICHIRO
	Examiner CHAN S PARK	Art Unit 2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 01 September 2000.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-42 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-42 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 01 September 2000 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5</u> ✓ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 35-38 recite the limitation "function as defined in claim". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. U.S. Patent No. 6,239,881 (hereinafter Shaffer) in view of Oba et al. U.S. Patent No. 6,072,599 (hereinafter Oba).

1. With respect to claim 17, Shaffer discloses a facsimile device provided with a receipt-rejected function of rejecting message receipt from communication partner other than a communication partner previously registered in a receipt-allowed communication partner registering table (list of "acceptable" station identifiers in col. 4, lines 45-54), wherein said facsimile device provided with a receipt-rejecting function including, a receipt-rejected communication control medium collecting (receiving station identifier at steps 404 and 406) the communication control information in connection

Art Unit: 2622

with the communication relating to the message arrival from the communication partner not registered in said receipt-allowed communication partner registering table (received identifier at steps 406 & 408), and storing said collected communication control information in a receipt-rejected communication control information storage medium (step 412 in fig. 4) and viewing the rejected station identifier (step 414 in col. 4, line 59).

Shaffer does not disclose expressly a function of creating a list of image information on the basis of the communication control information stored in said receipt-rejected communication control storage medium and a function of outputting the list of image information created by the communication control list creating medium.

Oba, however, discloses a function of collecting and storing a communication control information in an error and/or status communication information storage medium (communication history memory 41), a function of creating a list of image information on the basis of the communication control information storage medium, and a function of outputting the list of image information created by the communication control list creating medium (col. 16, lines 20-43 & fig. 20).

Shaffer and Oba are analogous art because they are from the same field of endeavor that is the facsimile art.

Since Shaffer discloses the method of storing the rejected station identifier in a memory (steps 408 & 412), at the time of the invention, it would have been obvious to person of ordinary skill in the art to combine the method of filtering unwanted facsimile data taught by Shaffer with the method of creating the list of receiving/transmitting history report stored in a memory taught by Oba.

The motivation/suggestion for doing so would have been to create a history list of senders who have been attempting to send a facsimile data. Additionally, it would give the user to review the history list and make a correction if a particular sender is mistakenly blocked/rejected previously.

Therefore, it would have been obvious to combine Shaffer with Oba to obtain the invention as specified in claim 17.

2. With respect to claim 18, Shaffer discloses a method of controlling a facsimile device provided with a receipt-rejected function of rejecting message receipt from a communication partner other than a communication partner previously registered in a receipt-allowed communication partner registering table (list of "acceptable" station identifiers in col. 4, lines 45-54),

wherein said method of controlling the facsimile device provided with a receipt-rejecting function comprising the steps of:

collecting communication control information (receiving station identifier at steps 404 and 406) in connection with the communication relating to message arrival from a communication partner not registered in said receipt-allowed communication partner registering table (received identifier at steps 406 & 408); and

storing said collected communication control information in a receipt-rejected communication control information storage medium (step 412 in fig. 4) and viewing the rejected station identifier (step 414 in col. 4, line 59).

Shaffer does not disclose expressly the steps of:

creating a list of image information on the basis of the communication control information;

creating the list of image information on the basis of the communication control information stored in said receipt-rejected communication control information storage medium; and

visibly outputting said created list of image information.

Oba, however, discloses steps of collecting and storing a communication control information in an error and/or status communication information storage medium (communication history memory 41), creating a list of image information on the basis of the communication control information storage medium, and visibly outputting the list of image information created by the communication control list creating medium (col. 16, lines 20-43 & fig. 20).

Shaffer and Oba are analogous art because they are from the same field of endeavor that is the facsimile art.

Since Shaffer discloses the method of storing the rejected station identifier in a memory (steps 408 & 412), at the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the method of filtering unwanted facsimile data taught by Shaffer with the method of creating the list of receiving/transmitting history report stored in a memory taught by Oba.

The motivation/suggestion for doing so would have been to create a history list of senders who have been attempting to send a facsimile data. Additionally, it would give

the user to review the history list and make a correction if a particular sender is mistakenly blocked/rejected previously.

Therefore, it would have been obvious to combine Shaffer with Oba to obtain the invention as specified in claim 18.

3. With respect to claim 19, Shaffer discloses a facsimile device provided with a receipt-rejected function of rejecting message receipt from communication partner other than a communication partner previously registered in a receipt-allowed communication partner registering table (list of "acceptable" station identifiers in col. 4, lines 45-54),

wherein said facsimile device provided with a receipt-rejecting function comprising:

a normal communication control medium collecting communication control information in connection with the communication relating to a message receipt from the communication partner registered in a transmission-allowed communication partner registering table or in said receipt-allowed communication partner registering table and storing said collected communication control information in said normal communication control information storage medium (col. 3, lines 38-41 & col. 4, lines 45-50).

With respect to the rest of claim 19, arguments analogous to those presented for claims 17 and 18, are applicable.

4. With respect to claim 20, arguments analogous to those presented for claims 17-19, are applicable.

5. With respect to claim 21, Shaffer discloses the facsimile device provided with a receipt-rejecting function as defined in claim 17, wherein the communication control

information collected by said receipt-rejected communication control medium and stored in said receipt-rejected communication control information storing medium in connection with the communication relating to the message arrival from the communication partner not registered in said receipt-allowed communication partner registering table includes a communication partner identifying information (station identifier in col. 4, line 59). Also, see fig. 20 of Oba.

6. With respect to claim 22, arguments analogous to those presented for claim 21, are applicable.
7. With respect to claim 23, arguments analogous to those presented for claim 21, are applicable.
8. With respect to claim 24, arguments analogous to those presented for claim 21, are applicable.
9. With respect to claim 25, Shaffer discloses the method of controlling the facsimile device provided with a receipt-rejecting function as defined in claim 18, wherein the communication control information memorized in said receipt-rejected communication control information storing medium in connection with the communication relating to the message arrival from the communication partner not registered in said receipt-allowed communication partner registering table includes a communication partner identifying information (station identifier in col. 4, line 59). Also, see fig. 20 of Oba.
10. With respect to claim 26, arguments analogous to those presented for claims 21 and 25, are applicable.

11. With respect to claim 27, Oba discloses the facsimile device further comprising a time counting medium for counting the present date and time; and

wherein the communication control information collected by said receipt-rejected communication control medium and storing in said receipt-rejected communication control information memorizing medium (communication history memory 41 in fig. 4) in connection with the communication relating to the message arrival from the communication partner not registered in said receipt-allowed communication partner registering table includes the date-and-time information read out from said time counting medium at the time of the message arrival (col. 17, lines 15-21 & fig. 20).

Since it prints out the date and time of the transmission, it is inherent that the device has a clock for counting the present date and time.

12. With respect to claim 28, arguments analogous to those presented for claim 27, are applicable.

13. With respect to claim 29, arguments analogous to those presented for claim 27, are applicable.

14. With respect to claim 30, arguments analogous to those presented for claim 27, are applicable.

15. With respect to claim 31, arguments analogous to those presented for claim 27, are applicable.

16. With respect to claim 32, arguments analogous to those presented for claim 27, are applicable.

17. With respect to claim 33, arguments analogous to those presented for claim 27, are applicable.

18. With respect to claim 34, arguments analogous to those presented for claim 27, are applicable.

19. With respect to claims 35-38, arguments analogous to those presented for claim 27, are applicable.

20. With respect to claim 39, arguments analogous to those presented for claim 17, are applicable.

21. With respect to claim 40, arguments analogous to those presented for claim 20, are applicable.

22. With respect to claim 41, arguments analogous to those presented for claim 18, are applicable.

23. With respect to claim 42, arguments analogous to those presented for claim 19, are applicable.

24. With respect to claim 1, arguments analogous to those presented for claim 17, are applicable.

25. With respect to claim 2, arguments analogous to those presented for claim 18, are applicable.

26. With respect to claim 3, arguments analogous to those presented for claim 19, are applicable.

Art Unit: 2622

27. With respect to claim 4, arguments analogous to those presented for claim 20, are applicable.
28. With respect to claims 5-16, arguments analogous to those presented for claim 27, are applicable.

Conclusion

29. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 5,307,178 to Yoneda discloses a facsimile device that rejects unwanted facsimile data.

30. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAN S PARK whose telephone number is (703) 305-2448. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (703) 305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

csp
April 28, 2004

Chan S. Park
Examiner
Art Unit 2622


EDWARD COLES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600